REMARKS

At the outset, the Applicant thanks the Examiner for the thorough review and consideration of the pending application. The Examiner is also thanked for the in-person interview with Applicant's representatives on December 21, 2007. A description of the substance of the interview is essentially set forth in the remarks that follow. The Office Action dated September 6, 2007, has been received and its contents carefully reviewed.

Claims 1 and 4 are hereby amended. Claim 18 is hereby added. Claims 13-17 are withdrawn per Election/Restrictions set forth in the Office Action. Claims 11 and 12 were previously withdrawn. No new matter was added. Accordingly, claims 1-18 are currently pending, of which claims 11-17 are withdrawn from consideration. Reexamination and reconsideration of the pending claims in light of the following are respectfully requested.

The Office rejects claims 1-10 under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential cooperative relationships of elements and steps. Office Action at ¶ 11. While not necessarily agreeing with the Office, the Applicant has amended claim 1 to advance prosecution. The Applicant, therefore, respectfully requests withdrawal of the 35 U.S.C. § 112, second paragraph, rejection of claims 1-10.

The Office rejects claims 1-9 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,647,231 to Payne et al. (hereinafter "*Payne*"). Office Action at ¶ 13. Applicant respectfully traverses this rejection.

Payne fails to describe, either expressly or inherently, at least:

> receiving a selection of a memory function, and in response to the receipt of the selection of the memory function:
> clearing the displayed default parameters, and
> displaying a set of customized parameters corresponding to the selected course, if the customized parameters corresponding to the selected course are stored in a memory,

as recited in independent claim 1.

Under the teachings of Payne, parameters are initialized <u>each time</u> a user operates a machine. Payne fails to describe any opportunity for a user to recall, from a memory, a set of customized parameters (i.e., as distinguished from default parameters), corresponding to a selected course, that are stored in the memory. Even if default parameters are included in

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Payne's system, a user can only enter a complete set of new parameters to replace them. See FIG. 5, ref. no. 220, and related text. If a complete update is received, the parameter update flag is set at 230, FIG. 5. Once the parameter update flag is set, the method calls the "Update Parameters" routine at 132, FIG. 4. The "Update Parameters" routine is illustrated in FIG. 6. As can be seen, the Update Parameters routine does not provide a user with any opportunity to recall customized parameters that were already stored in a memory. Once the complete new set of parameters is stored, the Parameter Update flag is cleared. See FIG. 6, ref. no. 256. At decision box 134 (FIG. 4), it is determined if the vending price was deposited. If so, the method proceeds to step 136, where the Cycle in Progress flag is set and the machine cycle is started. Payne states that the "Cycle in Progress" flag ensures that "parameters are not updated during a machine cycle." Id. at col. 9, lines 47-51. Thus, while a machine cycle is ongoing, a user does not have any opportunity to change parameters, let alone recall customized parameters from a memory. Once the cycle ends, the Cycle in Progress flag is cleared. The Interrupt operation continues "through a series decision Boxes 212, 214, 216, 218 and 220 in which data from the communications channel 34 is examined to determine whether various flags should be set or not ...." Id. at col. 10, lines 50-54. As stated above, at this point, parameters can only be changed if a complete update of the parameters is received. See, FIG. 5, ref nos. 220 and 230. There is no provision for a user to recall, from a memory, a set of customized parameters, corresponding to a selected course, that were already stored in the memory. Payne fails to even remotely consider such an option.

Accordingly, Payne fails to describe, either expressly or inherently, at least:

receiving a selection of a memory function, and in response to the receipt of the selection of the memory function:
clearing the displayed default parameters, and
displaying a set of customized parameters corresponding to the selected course, if the customized parameters corresponding to the selected course are stored in a memory,

as recited in independent claim 1. Thus, claim 1 is patentably distinguishable over *Payne*. Likewise, claims 2-9, which depend from claim 1, are also patentably distinguishable for at least the same reasons. Accordingly, Applicant requests withdrawal of the 35 U.S.C. § 102(b) rejection of claims 1-9.

The Office rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over *Payne* **in view of U.S. Patent Application No. 2002/0163440 to Tsui (hereinafter "***Tsui***").** Office Action at ¶ 15. Applicant respectfully traverses the rejection.

As previously discussed, *Payne* does not disclose all the elements recited in claim 1, the base claim from which claim 10 depends. Moreover, *Tsui* does not address or cure the shortcomings of *Payne* with respect to claim 1. In fact, *Tsui* is only relied upon to teach that "it is known to press and hold a controller button in an appliance control system to store desired parameters in a memory." *Office Action* at ¶ 16. Therefore, Applicant submits that claim 10 is patentably distinguishable over the cited references and requests withdrawal of the 35 U.S.C. § 103(a) rejection of claim 10.

CONCLUSION

The application is in condition for allowance. Early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: February 6, 2008   Respectfully submitted,

By _Michael J. Unger_ (Reg. No. 46,522)
for   **Mark R. Kresloff**
         Registration No.: 42,766
McKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorneys for Applicant